

FILED
JAMES BONIN
CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Scott Hutchinson Enterprises, Inc., et al

Civil Action No. C-1-01-776

Plaintiffs

v.

Appearing on behalf of Defendants Larry Rhodes,
Inc. and Rhodes, Inc.

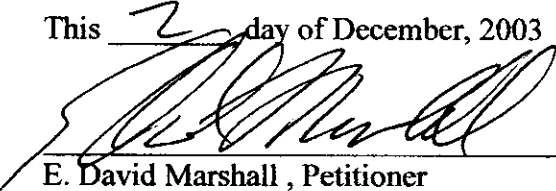
Rhodes, Inc., et al.

Defendants

APPLICATION FOR ADMISSION PRO HAC VICE

Petitioner, E. David Marshall, hereby requests permission to appear pro hac vice in the subject case filed in the Western Division of the United States District Court for the Southern District of Ohio. Petitioner states under penalty of perjury that he is a member in good standing of the Bar of the highest Court of the State of Kentucky and that a current Certificate of Good Standing this Court is provided. Petitioner states further that he is not eligible for admission under Local Rule 83.4(b). Petitioner designates M. Bradford Sanders as local counsel. His business address is provided below in the Consent of Designated Local Counsel.

This 2 day of December, 2003



E. David Marshall, Petitioner
271 West Short Street, Suite 111
Lexington, Kentucky 40507
Telephone-859-253-0708
Fax-859-281-6541

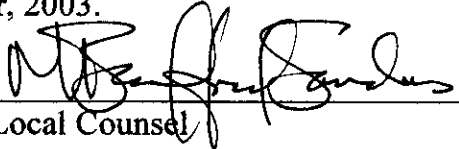
CONSENT OF DESIGNATED LOCAL COUNSEL

I, M. Bradford Sanders, designated local counsel for the subject case, agree to readily communicate with opposing counsel and the Court regarding the conduct of this case and accept papers when served and recognize my responsibility and full authority to act for and on behalf of the client in all proceedings related to this case, including hearings, pretrial conferences and trials, should the Petitioner fail to respond to any Court order for appearance or otherwise.

This 8th day of December, 2003.

0039723

Ohio Bar Number


Local Counsel

M. Bradford Sanders
Sanders & Associates, LPA
9122 Montgomery Road, Suite 201
Cincinnati, Ohio 45242
Phone (513) 891-8900
Fax (513) 891-8937

CERTIFICATE OF SERVICE

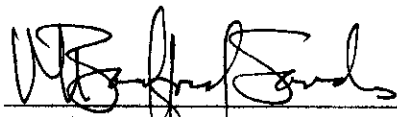
The above having been mailed to all counsel for plaintiffs and defendants as listed below, this December 8th, 2003.

Thomas R. Shuck
Taft, Stettinius & Hollister
425 Walnut Street, Suite 1800
Cincinnati, Ohio 4522

William P. Schroeder
Schroeder, Maundrell, Barbieri & Powers
11935 Mason Road, Suite 110
Cincinnati, Ohio 45249

Sam Casolari
Marshall, Dennehey, Warner, Coleman & Goggin
120 East Mills Street, Suite 240
Akron, Ohio 44308

E. David Marshall
271 West Short Street, Suite 111
Lexington, Kentucky 40507


Local Counsel



Susan Stokley Clary
Clerk

Office of the Clerk
SUPREME COURT OF KENTUCKY
State Capitol
Frankfort, Kentucky 40601

Room 209
(502) 564-4720
Fax: 564-5491

C E R T I F I C A T I O N

I, Susan Stokley Clary, Clerk of the Supreme Court of Kentucky, do hereby certify the records in this office show that E. David Marshall having met the necessary requirements for admission to the Bar, took the oath prescribed by the Constitution of this Commonwealth on April 21, 1961, and thereupon was admitted to practice as an attorney before this and all other courts of the Commonwealth of Kentucky, and certify that E. David Marshall is an attorney at law in good standing, as such, in all the courts of the Commonwealth.

I further certify that the Supreme Court is the Court of highest jurisdiction for the Commonwealth of Kentucky.

Done at the Capitol at Frankfort, Kentucky this 4th day of November, 2003.

SUSAN STOKLEY CLARY
CLERK

By: Henrietta Evans
Deputy Clerk

KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET
FRANKFORT, KENTUCKY 40601-1883
(502) 564-3795
FAX (502) 564-3225



OFFICERS
John W. Stevenson
President
R. Kent Westberry
President-Elect
David B. Sloan
Vice President
Stephen B. Catron
Past President

HOUSE OF DELEGATES
Larry H. York
Chair

Linda McCubbin Hopgood
Chair-Elect

YOUNG LAWYERS
Sheila P. Hiestand
Chair

EXECUTIVE DIRECTOR
Bruce K. Davis

BOARD OF GOVERNORS

Barbara D. Bonar
Donald H. Combs
Jane Winkler Dyche
Charles E. English, Jr.
Margo L. Grubbs
Shelby C. Kinkead, Jr.
Robert Scott Madden
Douglas L. McSwain
Charles E. Moore
Michael J. O'Connell
John M. Rosenberg
Joseph L. White
Mark C. Whitlow
C. A. Woodall, III

October 29, 2003

THIS IS TO CERTIFY THAT

E. DAVID MARSHALL

*Security Trust Building
271 West Short Street, Suite 111
Lexington, Kentucky 40507*

Membership No. 44080

is a member in good standing with the Kentucky Bar Association as required by the Rules of the Supreme Court of Kentucky no charges of any kind having been preferred against him.



BRUCE K. DAVIS
REGISTRAR

By: *Michele M. Pogrotsky*
Michele M. Pogrotsky, Deputy Registrar

Thu Dec 11 15:36:42 2003

UNITED STATES DISTRICT COURT

CINCINNATI, OH

Receipt No. 100 421206
Cashier ah1

Tender Type CHECK

Check Number: 3137

Transaction Type N

| DD Code | Div No | Acct |
|---------|--------|--------|
| 4661 | 1 | 6855XX |

Amount \$ 50.00

SANDERS & ASSOC

PRO HAC/01-776/MARSHAL

Thu Dec 11 15:36:42 2003

Check No. 3137

Amount\$ 50.00

Pay any Federal Reserve Bank or
General Depository for credit to
United States Treasury Symbol 4661